

REMARKS

Reconsideration of this application is requested.

With the foregoing amendments to the claims, the claims pending for consideration are claims 7-21. Claims 1-6 have been cancelled without prejudice.

In the action, the Examiner indicated that claims 7-13 and 15 were only objected to as depending from a rejected claim. These claims have been suitably amended so as to be free from rejected claims. Accordingly it is thought that claims 7-13 and 15 should be allowable on the record.

The same is thought to be true for claims 14 and 16 as the spelling error in claim 14 has been corrected and claim 16 has been amended to depend from claim 15 as suggested by the Examiner.

The Examiner will note that claims 7, 8 and 9 have been amended to refer to salts of the claimed compounds. This is consistent with the form of original claim 1 and claims 10-14 and the applicants' disclosure at, for example, page 2, lines 22 and 31 and should not affect the indicated allowability of these claims.

Claims 7-14 have also been amended to employ conventional Markush language. This is thought to improve the form of the claims without changing their apparent allowability.

Claims 17 and 18 have been amended to depend from claim 7. As amended claims 17 and 18 should be allowable for the same reasons as claim 7.

Claim 19 has been amended to be in independent form by incorporating therein the substance of claim 1 with the added requirement that the compound employed is free of fiber reactive groups. As noted below, this is different from the Gregory et al disclosure wherein the dyes employed include fiber reactive groups..


The Examiner is requested to reconsider the Section 102(b) rejection of claims 1 to 6, 18 and 20 as anticipated by De Montmollin et al, Jager, Jager et al or Nusser. As noted above, claims 1-6 have been cancelled without prejudice. Claims 18 and 20 depend, directly or indirectly, from claim 7 which the Examiner has indicated to be allowable if presented in independent form. Accordingly, claims 18 and 20 should be allowable, the subject matter of these claims being novel over the Examiner's references.

For generally similar reasons, the Examiner is respectfully requested to reconsider the Section 102(b) rejection of claims 1-6 and 17-21 as anticipated by

Gregory et al. Claims 1-6, as noted have been cancelled while claims 17, 18, 20 and 21 depend, directly or indirectly from claim 7, indicated to be allowable. Claim 17 further distinguishes from Gregory et al in calling for the compound to be free from fiber reactive groups. As noted above, the dye used in Gregory et al has fiber reactive groups. Claim 19 also distinguishes over Gregory et al in requiring the compound to be free from reactive groups. In short, therefore, the applicants' claims 17-21 require features not disclosed by Gregory et al. Accordingly, the Section 102(b) rejection based on Gregory et al should be withdrawn.

The application is thought to be in condition for allowance and such action is respectfully requested.

Respectfully submitted,
MORGAN LEWIS & BOCKIUS LLP

By 
Paul N. Kokulis
Reg. No. 16773

Date: June 16, 2008

Customer No. 09629
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Phone: (202) 739-3000
Facsimile: (202) 739-3001
Direct: (202) 739-5455